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In re Application of :
GAISER et al : DECISION ON
Application No.: 08/981,233 :
PCT No.: PCT/EP96/02633 : RENEWED PETITION
Int. Filing Date: 18 June 1996 :
Priority Date: 19 June 1995 : UNDER 37 CFR 1.48(a)
Attorney's Docket No.: 2972-103P :
For: PROCESS AND DEVICE FOR CONTINUOUSLY :
DRYING PROTEIN-CONTAINING SLUDGE :

This decision is responsive to the "Petition Correcting Inventorship under 37 CFR 1.48(a)" filed 04 October 1999, which seeks to add ULRICH PLANTIKOW as co-inventor. No additional petition fee is required.

Applicants' previous petition filed 07 December 1998 was dismissed in a Decision dated 08 September 1999 because applicants had not provided an adequate explanation of the addition of Mr. Plantikow as an inventor.

Petition Under 37 CFR 1.48(a)

A petition under 37 CFR 1.48(a) requires: (1) a statement from each person being added as an inventor and from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part; (2) an oath or declaration by the actual inventor or inventors as required by §1.63 or as permitted by §§1.42, 1.43 or 1.47; (3) the fee set forth in § 1.17(i); and (4) written consent of the assignee, if an assignment has been executed by any of the original named inventors. *See also* section 201.03, Manual of Patent Examining Procedure.

Applicants have submitted this renewed petition accompanied by a statement by Ulrich Plantikow that he is the co-inventor of the above identified application and that the omission of his name as a co-inventor was an error, which occurred without deceptive intent. Applicants

provided a declaration executed by all the inventors and paid the required petition fee. Applicants have satisfied Items (1),(2) and (3). However, with regard to Item (4), the written consent of the assignee, which was submitted, is not acceptable because it does not identify the name or the title of the person who has signed on behalf of ANDRITZ-PATENTVERWALTUNGSGESELLSCHAFT m.b.H..

Therefore, applicants have not met all of the requirements under 37 CFR 1.48(a) for correction of inventorship.

CONCLUSION

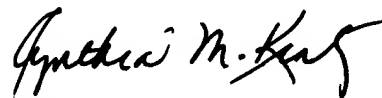
The petition under 37 CFR 1.48(a) is **DISMISSED without prejudice.**

Any reconsideration on the merits of this petition must be filed within TWO (2) MONTHS from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.48(a)." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of the letter marked to the attention of the PCT Legal Office.



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